

Remarks / Arguments

Rejections – 35 USC § 112

The Examiner has rejected claims 17 – 20 under 35 U.S.C. 112, first paragraph, alleging that the recited limitation of the power controller disabling power to the switches by periodically detecting a protocol identifier, is not supported by the specification. Applicant has amended claims 17, 19 and 20 to recite that the power controller disables power to the switches when said protocol identifier is not detected, as suggested by the Examiner's interpretation of the claims for the purpose of compact prosecution. This amendment is supported by paragraph 26 of the application as originally filed.

Applicant submits that claim 18, which recites that the power controller disables said power to said switches depending on the detection of said protocol identifier is supported by the specification as originally filed. Applicant notes that disabling power to the switches depending on the detection of said protocol identifier is supported by paragraph 26 as originally filed, since the power controller either disables or does not disable the power if the protocol identifier is, for example, not detected or detected.

Applicant submits that current claims 17 - 20 comply with 35 U.S.C. 112.

Rejections – 35 USC § 103

The Examiner has rejected claims 1, 2, 6 – 11 and 13 – 20 under 35 U.S.C. 103(a) as being unpatentable over Pascolini (US Pub. No. 2002/0069300) in view of Lee (U.S. Patent No. 7,069,346) and further in view of Pickert et al. (U.S. Patent No. 4,794,525 hereinafter 'Pickert'). Applicant respectfully requests reconsideration of the applicability of the cited references as set forth below.

Pascolini describes a multi-protocol network interface card that can detect the network protocol based on the signals of the connected cable. The network interface card described by Pascolini may be used to connect to Token Ring networks, ISDN networks, Ethernet networks and PSTN networks.

Lee describes a router that can be automatically reconfigured to use a different network protocol without requiring the router to be turned off and then back on. The network cables of Lee may be unplugged, and a new one plugged in, while the router is powered on without risking an electrical shock to the router. The router of Lee can discriminate a hardware protocol through a protocol mode line.

Pickert describes a computer interface circuit for connecting a computer with an external device. The external device produces an indication signal when it is coupled to the interface control circuitry. The interface circuit may provide power to the external device in response to a power control signal generated under the control of a microcomputer. Once the external device is powered it generates a ready signal indicating that it is ready to communicate with the computer interface.

The Examiner has alleged that one skilled in the art would have been motivated to modify the teachings of Pascolini with the hardware protocol mode identification taught by Lee in order to rapidly *reconfigure the DCE without the need of restarting the power* as suggested by Lee. Lee discloses a router that can be automatically reconfigured without needing to restart the power of the router according to a change in a cable connection state (col.: 2, ln.: 64 – 67). However this does not provide motivation to combine the teachings of Lee with Pascolini. The network interface card taught by Pascolini does not require its network interface card to be powered down. In particular, Pascolini teaches “each time the computer has to be inserted into a network, it is enough to plug the cable into the port of the NIC, without having to pay attention to the type of network; *the NIC automatically configures itself without any risk of error*” (emphasis added, paragraph 41)

Applicants respectfully submit that the feature of rapid automatic reconfiguration relied upon by the Examiner for providing the motivation to combine Lee with Pascolini, is provided by the Pascolini system alone. As such, one skilled in the art would not be motivated to combine the teachings of Lee with

Pascolini in order to provide a benefit that is already present in the Pascolini system, namely a NIC that automatically configures itself.

The Examiner has further relied on the teachings of Pickert for teaching a power controller for controlling power to said switch in each of the one or more signal lines, depending on whether a port is coupled to a peripheral device. The Examiner has alleged that one skilled in the art would be motivated to combine the teachings of Pickert with Pascolini in order to reduce power consumption in the system. Applicant submits that the network interface card taught by Pascolini is for connecting to other computers with network interface cards. The network interface card is not intended to provide power to external devices, but for connecting a computer to a network. Although not specifically taught by Pascolini, one skilled in the art would appreciate that the network devices that communicate with the network interface card of Pascolini are self-powered and would not require the network interface card to supply power to them. Applicants respectfully submit that one skilled in the art would not be motivated to provide a power switch for providing power to an external device to the network interface card for connecting a computer to the network.

In addition to the arguments set forth above regarding the combination of Pickert with Pascolini, Applicants further submit that the power switch taught by Pickert does not in fact teach or suggest the limitation of claim 1. The power switch of Pickert is controlled by a PSC* signal. When it is driven low, the power switches on and provides power to the *external device*. The power switch of Pickert is not equivalent to the switch in each of said one or more signal lines, as currently claimed. This does not teach or suggest the subject matter of claim 1, which requires a power controller for *controlling power to said switch in each of said one or more signal lines*, depending on whether said port is coupled to said DCE.

Applicants respectfully submit that there is no motivation to combine the teachings of Pascolini with those of either Lee or Pickert. Furthermore, as set forth above, even if combined together as suggested by the Examiner, the resultant system would not disclose all of the limitations of claim 1. As such,

Applicants respectfully submit that claim 1 complies with 35 U.S.C. 103(a), and is patentable over Pascolini in view of Lee and further in view of Pickert.

The Examiner has relied upon similar arguments for rejecting independent claims 9 and 15. As set forth above, not only is there no motivation for combining the teachings of Pascolini, Lee and Pickert as suggested by the Examiner, having the hindsight to combine the teachings as suggested would still fail to teach or suggest all of the limitations of claims 9 and 15. As such, Applicants respectfully submit that independent claims 9 and 15 comply with 35 U.S.C. 103(a), and are patentable over Pascolini in view of Lee and further in view of Pickert.

Applicant respectfully submits that dependent claims 2, 3, 6 – 8, 10 – 14 and 16 – 20, being dependent, either directly or indirectly, upon one of independent claims 1, 9 or 15, comprise all of the limitations of the respective independent claim. As such, Applicant respectfully submits that claims 2, 3, 6 – 8, 10 – 14 and 16 – 20 comply with 35 U.S.C. 103(a), and are patentable over Pascolini in view of Lee and further in view of Pickert.

In view of the amendments and the remarks, and having dealt with all the objections raised by the Examiner, reconsideration and allowance of the application is courteously requested.

Respectfully submitted,

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